

**MINUTES OF THE REGULAR MEETING  
OF THE LA SALLE CITY COUNCIL  
August 26, 2019**

**A regular meeting of the La Salle City Council of La Salle, Illinois was held Monday, August 26, 2019 at 5:45 p.m. with Mayor Grove presiding with proper notice being duly and continuously posted.**

The meeting was called to order at 5:48 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present-** Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

**Absent:** Alderman Herndon

A quorum was present.

**APPROVAL OF MINUTES**

Moved by Alderman Demes and seconded by Alderman Reynolds to accept and place on file minutes of the August 12, 2019 Regular City Council meeting. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

**PUBLIC COMMENT REGARDING MOBILE FOOD VENDORS**

**5:50 p.m.** Moved by Alderman Lavieri and seconded by Alderman Reynolds to open the Public Comment regarding Mobile Food Vendors.

Voice vote, all ayes. Motion carried.

Economic Development Director Katherine Koyak thanked everyone in attendance and explained that prior to the meeting any person interested in speaking on the topic was given a number. The Clerk will call individuals forward to speak in the order the numbers were assigned. Mayor Grove stated that anyone desiring to speak but did not obtain a number could obtain one from Mrs. Koyak. Mrs. Koyak explained that there will not be a decision made this evening, but instead, all input will be taken into consideration by the council and the issue will be formally voted upon at a future meeting. Mrs. Koyak then read the definition of a Mobile Food Vendor which is defined as any person or company (truck, cart or trailer) traveling from place to place upon public highways and then parking on public and/or private property for in excess of 15 minutes for the purpose of selling food. At this time, Mobile Food Vendors are not allowed in the downtown area, but are allowed in the M-1 Zoning District, on private property for the sole purpose of selling food to employees of businesses with over 20 employees and in other areas of M-1 Zoning providing that a Special Use Permit is obtained.

Clerk Brown began by reading two comments that were sent to the City prior to the meeting.

The first comment was sent by Frank Pullman, owner of Obee's. Mr. Pullman stated that he is not opposed to food trucks, but had a few concerns that he asked to be passed along.

*#1) I pay rent. Say it's \$1,200/month, which equals \$40 a day on a 30 day month.*

*#2) My brick and mortar location. I work very hard/spend a lot on advertising for the customer and people of the town to know where my physical location might be. That said, I might care that someone used that and puts a food truck on the corner.*

*#3) I decided on the location for Obee's on many factors. One is a demand for my product. If competition comes in, I am not against, are they paying the same amount of fees my brick and mortar pay?*

*That is really it, if they do, I hope them the best. Can this ordinance be a trial? Test it out for a year and see how it goes? The food truck people hope them the best."*

The second comment sent to the City was from Steve Beckom owner of Lil Bellas. He stated, *"I prefer not to have food trucks on a regular basis in our area."*

Clerk Brown then called the speakers in the order of numbers distributed.

Sandra and Jeff Hoos, owners of Rawfully Yours Juice Bar and Café located at 527 First Street, stated that opening this business was a ten year journey that required developing a business plan and investigating many locations in many different towns. La Salle ended up being the perfect fit for their business model. Mrs. Hoos thanked the City for all the development in the downtown that still continues. She stated that she sells a unique product that no one else has within a 75 mile radius. Mrs. Hoos stated that the business will celebrate its one year anniversary, but has not shown a profit and she and her husband have not been able to pull a pay check yet. Despite that, they continue to invest in the business. She stated she and Jeff agree with Frank Pullman of Obee's because they, too, invest money in advertising to get foot traffic. For them to invest in that advertising knowing a potential customer could see a food truck and then change their minds about visiting their business would be a waste of their valuable money. Therefore, they oppose food trucks. She stated they pay a lot in sales tax, but having a mobile food truck would jeopardize the success of their business. Jeff Hoos inquired about how sales tax will be affected as food trucks are typically cash businesses and wondered how sales tax is tracked. He also agreed with Mr. Pullman that a food vendor permit should be as much as a brick and mortar business pays in rent. Mrs. Hoos supports free enterprise, but encourages others to invest in brick and mortar businesses as it brings foot traffic to the downtown area, which then benefits all businesses. Food trucks have the opportunity to do fairs and events. A food truck if it is not successful in one town can simply just pick up and move. Brick and mortar businesses do not that option.

Ray Andres, owner of Uptown Grill located at 601 First Street, stated that in his 35 years of business they have invested heavily in their brick and mortar business most recently within the last three years which resulted in an increase in his property taxes, payroll expenses and other expenses as well. His point was that running a brick and mortar business is very expensive. He stated that they are open seven days a week for lunch and dinner through wintry weather, and slow business times such as the Super Bowl and the Academy Awards. He stated that his business, unlike food trucks, does not have the flexibility to cherry pick to be open during good weather only or good events. They take the bad with the good. He stated that he has no problem having food vendors in town for certain events that benefit everyone, but does not believe having a food truck in one location, benefiting one vendor is not a good idea. He asked the City Council to be judicious when making this decision.

Nick Passini, owner of Passini's Wood Fired Pizza and resident of La Salle, stated that he is a mobile vendor and private caterer. He stated that his goal is to bring new faces into town and expose them to downtown businesses. He stated that he is a small business and understands that he does not pay as much sales tax as larger businesses, but is just a small guy trying to make it. He stated that he is not trying to take business away from brick and mortar, and is not wanting to set up all the time. He was in favor of paying fees or obtaining permits. Mayor

Grove asked if he has considered brick and mortar. Mr. Passini stated that he would love a brick and mortar location, but is 26 years old and does not have the capital.

Laura Judd, owner of Grandma Rosie's Woodfire on Wheels, stated that she is not opposed to paying any fees. She stated that they want to help brick and mortar and anywhere they have set up, they have helped brick and mortar by bringing more people to other businesses. Mayor asked how it helps other businesses. Ms. Judd stated that it just brings more foot traffic. Ms. Judd stated that they recently set up at the 351 Mini Mart and were informed by City Officials that they were not allowed to operate due to our current ordinance. She stated they had tons of business that day because many people follow her business on social media. Ms. Judd stated that when they are ready they would love to have a brick and mortar and La Salle would be a choice.

Bob Donovan, owner of the Dog House located at 848 First Street, stated that he is a bit torn as he is in the process of getting a mobile unit that he plans to use at festivals and special events. He stated that he would like the council to keep things the way they are, however if there are changes, he thinks there should be permit fees, health permits, and insurance requirements and that all units are up to code. He also suggested that unit owners are residents of La Salle or at least reside within the County. His biggest concern was how sales tax is reported, so that anyone operating within the City pays their fair share. He also suggested hosting a food truck festival several times year as a means to invite new people to the City. He believes this may encourage investment in brick and mortar. Mayor Grove asked Mr. Donovan if he has researched other communities' ordinances regarding food trucks. Mr. Donovan stated that he has and stated that Peru has a \$25 Special Use Permit fee to operate for one month. He stated that he does know it is cheaper to operate a food truck than a brick and mortar business, but indicated that operating a food truck is still costly. He stated that he understands both sides of the argument, so is not taking a side either way. He wants to protect his brick and mortar, but does believe a food truck festival is a unique way to bring in new vendors and bring people to the City.

Leah Inman, representing the La Salle Business Association, stated that the association has 120 members from La Salle and surrounding areas. The group has a vested interest in the City's continued resurgence and hosts several events throughout the year to attract visitors to the City to enjoy retail, lodging and dining. She said the Association fully supports the brick and mortar businesses both in the downtown and the 8<sup>th</sup> and 9<sup>th</sup> Street business districts. She continued by saying those owners and operators took a risk by investing money into their businesses and contribute to the sales tax and property tax figures that funnel back into the community. That being said, the association has heard that there is interest in organizing a "Food Truck Friday" type of event that would be in a designated location on a designated day of the week or day of the month. She stated that this may be a good compromise. The Association fully supports the City requiring permits and fees to help offset the sales and property taxes that are not generated by food trucks. This is a way for La Salle to stay ahead of the curve, as food truck festivals are popular right now. The Association would ask that there is a food truck exemption for large scale events where additional food needs are required to meet the needs of the attendees. Mrs. Inman stated that the association always offers food vendor positions at these events to brick and mortar businesses first, should they pass other vendors are then sought. The Association is confident the City Council will make a well informed decision of how food trucks can serve and the permitting requirements and any other location requirements.

Joe Harzeim, who works for Flipo Group, Ltd. in La Salle stated that he agrees with Mr. Andres that any decision made by the council should be judicious. He does not think it should be all or nothing, but something in the middle. He also agreed with the idea of possibly having a one year trial. He stated he is a friend of the owners of Camden and Passini's Wood Fire Pizza. He noted that Camden is a brick and mortar and has invested in La Salle, pays sales and property taxes. He stated that their bar has six tvs, so judiciously chose Sunday to have pizza on that day. In his opinion, this does not affect other businesses, because for those who want to watch football, most likely the Camden is the type of place they would choose. So, on a Sunday this is not affecting other businesses. He said food trucks are the future and they do bring additional business, sales tax and fees, as well as foot traffic to other businesses.

Mickey Venegas, owner of Mickey's Massive Burrito, stated that he started with a mobile truck in 1978 and has also operated a brick and mortar business in downtown La Salle for the last 18 years. He stated that he is torn to have an opinion either way. He stated that he likes the idea of Food Truck Fridays, but stated that it does hurt other businesses. Many people can understand both sides and Mickey also stated that he was the same age as Mr. Passini and Ray Andres when he began so can understand what they are going through. "If they are passionate, I can't see taking that away from them." "But, if I'm passionate about my brick and mortar, you can't take that away from me either." Mayor asked Mr. Venegas what he would do if he were in the council's spot. He said he did not know. He said it is a tough situation for the council to make everyone happy.

Clayton Spayer, private citizen of La Salle for the last ten years, stated that a big part of him staying in La Salle has been the lure of downtown La Salle. He stated there is something very cool going on there. There are many new fresh businesses and momentum on the side of La Salle. He stated that he and his friends see food trucks as an additional way to generate a great buzz in the City. He referenced the Cats Eye bar in downtown Ottawa who had a food truck outside last weekend. He stated that it created a great vibe. He thinks allowing food trucks would help create a certain culture and keep the downtown vibrant. He stated that he understands both sides and would be in favor of a one year trial as previously mentioned.

Chris Rush, representing the La Salle VFW #4668 stated that the VFW requested permission to have a food truck/trailer on their property several times a month to raise money for building improvements. Their current events are not infusing enough money to implement their goals for building improvements. The group has met to brainstorm and discuss new ways to generate income for the needed repairs. One idea was to have a taco truck on the property as a new way to generate income, however it was denied by the City. He stated in the past they have had people rent out their kitchen and that has been successful, but once they get successful, the renters to start their own businesses. It is difficult to find reliable people to run their kitchen. The VFW is in favor of food trucks as it would allow them to infuse money into their building fund. The VFW is aware of several La Salle businesses who have food trucks that are available for events and the VFW is willing to work with them if trucks are allowed in the future.

Mark Schneider, La Salle resident and former alderman stated he knows this is an issue that has been discussed by the council in the past and it is one of those things where you cannot make everyone happy. Mr. Schneider said when this topic came up, he started seeing a lot of negativity on social media. However, he stated that he thinks this council is progressive and is open to new ideas. In his opinion, he thinks the council is in a position to take gradual steps by opening it up to food trucks in some way. This would allow owners like Mr. Passini to have the clout to be able to look at a brick and mortar in the future. He stated that he does not have a specific recommendation, but has confidence and faith in the council.

Gary Curtin, La Salle commercial landlord of 139-143 Gooding, stated that he has owned the property since 1996 and has seen the good times and the bad. One issue for his tenants is traffic flow. His businesses hope to get more people in their stores. He believes that food trucks could bring in more foot traffic and also goes along with the vibe that the City is currently generating. He mentioned the addition of Pedi-cabs and how things like that and food trucks just add another layer that stirs up conversation, so he is in favor. He believes with more traffic flow, everyone benefits.

Mayor Grove thanked everyone for the professionalism and respect shown. He stated that he knows there have been situations like the one mentioned by Grandma Rosie's, as well as issues at the Carus Mansion summer concerts, but the goal is for the City to be consistent and establish rules that can be enforced. He stated that the council will discuss this further and decide the parameters if food trucks are to be allowed. He stated that the public is welcome to continue to comment and can do so by contacting Katherine Koyak.

Alderman Demes stated that his parents ran a family business at 130 Gooding Street in downtown La Salle for many years. He stated that he remembered from his youth when La Salle was great and also when it became a ghost town as the malls came in. Now, he continued by saying, we have a thriving downtown that is similar to what it was in his youth. He recalled his father saying that competition is good, but too much competition is bad. La Salle is the envy of every City in the area. Alderman Demes stated that he will always support all La Salle businesses, but thinks it may be good to look at allowing food trucks to operate maybe once a month or so, but possibly not in the downtown.

Alderman Reynolds stated that he believes there is a misconception that food trucks are similar to ice creams trucks that drive through neighborhoods. The decision made by the Council will be made based on facts and rules will be established in regard to location, permits, etc. He stated that there is a lot that goes with this decision and it will not be taken lightly. Alderman Reynolds continued by saying that we do not want to hurt anyone, but we want to give everyone an opportunity to be heard.

## **PETITIONS**

Moved by Alderman Lavieri and seconded by Alderman Reynolds to grant the request of Comcast to road bore underneath Civic Road to install underground CATV service cable within R.O.W to provide service as requested to 342 Civic Road Each and every alderman has a copy. Voice vote, all ayes, with Alderman Lavieri abstaining. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Jeppson to grant the request of Ameren Illinois to break ground at 18 Gunia Drive to dig up service tie in and riser for inspection. Each and every alderman has a copy. Voice vote, all ayes. Motion carried.

Moved by Alderman Reynolds and seconded by Alderman Demes to grant the request from Starved Rock Runners, Ltd. to conduct the 37<sup>th</sup> and Final Canal Connection 10K Race on November 3, 2019 beginning at 10:00 a.m. from the starting line near LP High School and utilizing City streets to the I & M Canal towpath with assistance and traffic control provided by the Police and Fire Departments. Each and every alderman has a copy. Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept the Finance Committee's recommendation to grant the request of Scott Konieczki on behalf of the Knights of Columbus Calvert Council 792 for a Redevelopment Incentive Program grant totaling \$5,650 for premises located at 209 Gooding Street. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane  
NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

Moved by Alderman Ptak and seconded by Alderman Jeppson to accept the Finance Committee's recommendation to grant the request of Robert Spelich on behalf of Orange Chair Corporation dba Union Hall for a Redevelopment Incentive Program Grant totaling \$5,050 for premises located at 1059 8<sup>th</sup> Street. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Herndon, Crane

NAY: None Absent: Herndon Abstain: None

**Motion Carried 7-0**

### **REPORTS OF CITY OFFICERS**

Moved by Alderman Reynolds and seconded by Alderman Lavieri to accept and place on file the Monthly Police Income Report for July 2019 showing total fees collected of \$3,775. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

### **COMMUNICATIONS**

Clerk Brown read a thank you note from Janet Bickham. Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file the communication.

Voice vote, all ayes. Motion carried.

Moved by Alderman Ptak and seconded by Alderman Reynolds to accept and place on file the Illinois Department of Revenue Report showing sales tax collected for May 2019 of \$77,213.57 and Home Rule Sales Tax of \$67,120.66 for a total of \$144,334.23. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

### **SPECIAL COMMITTEES**

Attorney McPhedran indicated that no objectors were present at the Zoning Board hearing and the motion to grant the variance was unanimous.

Moved by Alderman Reynolds and seconded by Alderman Ptak to accept and place on file the recommendation of the Zoning Board of Appeals to grant the request and petition of Jayme L. Doll and Tia Marquez for a front yard setback variance from 25' to 15' for premises commonly known as 1270 Tonti Street. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

In regard to the variance requests from Adan Estrada, Attorney McPhedran explained that there were concerns expressed during the Zoning Board of Appeals hearing regarding the lack of a property survey for the premises and whether or not the owner was certain the improvements he was making would be within his property lines. After a brief recess, the hearing was reconvened with the petitioner amended his original variance request to only include the front

yard setback variance from 25' to 3' for the rebuilding of the porch. The request for the side yard variance for the room addition was withdrawn. Attorney McPhedran continued by saying that if in the future, they choose to build the room addition, they would have to come before the Zoning Board again. Attorney McPhedran stated that there were no objectors at the hearing. Attorney McPhedran also explained that the variance for the porch was not absolutely needed, but since they amended their request and went through the process, this provides them with a formal variance for this purpose.

Moved by Alderman Lavieri and seconded by Alderman Reynolds to accept and place on file the recommendation of the Zoning Board of Appeals to grant the amended request and petition of Adan Estrada for a front yard setback variance from 25' to 3' for the rebuilding of a porch at premises commonly known as 535 Todd Street. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Herndon Abstain: None

**Motion Carried 7-0**

Moved by Alderman Bacidore and seconded by Alderman Jeppson to accept and place on file the recommendation of the Zoning Board of Appeals regarding the request and petition of Griselda Martinez for a side yard setback variance from 3' to 0' for premises commonly known as 1721 Campbell Avenue. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

### **STANDING COMMITTEES**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept and place on file the recommendation of the Streets, Alleys and Traffic Committee to grant the request to designate the south side of Lindberg from 466 Lindberg to Gooding Street as no parking and related matters. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: Alderman Demes Absent: Alderman Herndon Abstain: None

**Motion Carried 6-1**

Moved by Alderman Bacidore and seconded by Alderman Ptak to accept the recommendation of the Streets, Alleys and Traffic Committee to grant the request to install speed limit signs on Sterling Street from Third Street to Fifth Street. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Bacidore, Ptak, Reynolds, Jeppson, Crane

NAY: Alderman Demes, Alderman Lavieri Absent: Alderman Herndon Abstain: None

**Motion Carried 5-2**

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept the recommendation of the Streets, Alleys and Traffic Committee to deny the request of Magen Craft for a stop sign eastbound on Lincoln Avenue at Prospect. Each and alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

### **OLD BUSINESS**

Moved by Alderman Reynolds and seconded by Alderman Demes to confirm the straw vote regarding the request to close First Street from the ATM entrance at La Salle State Bank to

Marquette Street on Saturday, August 24, 2019 from 3 p.m. until the conclusion of the 125th Celebration event at La Salle State Bank.

Voice vote, all ayes. Motion carried.

Moved by Alderman Crane and seconded by Alderman Jeppson to authorize, pay, and place on file Pay Estimate #2 to Universal Asphalt & Excavating, Inc. totaling \$163,621.82 for the Hegeler Park Sewer Separation project. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

Moved by Alderman Ptak and seconded by Alderman Reynolds to authorize, pay and place on file Pay Estimate #1 to Universal Asphalt & Excavating, Inc. totaling \$294,232.06 for the 2019 MFT Road Improvement Project. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

Alderman Demes requested that the Council consider amending the Zoning Ordinance to allow for garages/accessory buildings to be constructed on empty lots, not necessarily owned by an adjacent homeowner, in all zoning districts. He stated that certain specifications and restrictions will need to be determined. Currently, the Zoning Ordinance allows this only in certain zoning districts without seeking a variance. Attorney McPhedran stated that this issue could be added to the next agenda and then it can be referred to the Planning Commission for further consideration. Brief discussion followed.

## **NEW BUSINESS**

Moved by Alderman Lavieri and seconded by Alderman Crane to accept and authorize payment to Flow Technics, Inc. totaling \$83,949 for two new pumps being part of the 9<sup>th</sup> Street Pump Station Improvements as submitted as part of Technical Memorandum No. 1 by Donohue and Associates. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

**7:15 p.m.** Moved by Alderman Lavieri and seconded by Alderman Demes to appoint Tom Ptak as Mayor Pro-Tem for the remainder of the meeting in the absence of Mayor Grove.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

Finance Director Duncan clarified that in regard to the proposal from Connecting Point, the word "installation" as indicated on the agenda as part of the proposal, does not include all labor. Labor charges will be in addition to the amount specified on the agenda. Finance Director Duncan stated we can pay the labor as they go, or we can buy bulk labor hours which would include a 3% discount. Mayor Grove expressed concern that Connecting Point can only provide an estimate how many hours of labor this will take, which leaves the total cost open ended. Finance Director Duncan stated that each computer is different, so they can only provide an estimate on the amount of labor. Mr. Duncan estimated the hourly labor rate to be \$105.00/hr. Mayor Grove stated that he was ok with the hardware, but was uncomfortable with open ended labor costs. Finance Director Duncan stated that this proposal also includes devices for the

aldermen to receive and view council packets. Finance Director Duncan will reach out to Connecting Point to see if they can provide a firm labor cost. Brief discussion followed.

Alderman Demes made a motion to accept and authorize payment to Connecting Point Computer Center totaling \$34,527.65 for the purchase of various computers, software and installation in advance of changes in operating systems from Windows 7 to Windows 10 occurring in January of 2020, but then amended his motion which was seconded by Alderman Crane to also include the stipulation that labor costs are not to exceed 40 hours. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

In regard to the request from MTCO, City Engineer Brian Brown explained that MTCO would like to install a fiber optic line underground from the Civic Water Tower, along the south side of Civic Road, to the south end of industrial drive to possibly service Air Products. MTCO has a partnership with IFIBER in which they can utilize IFIBER's facilities in areas where MTCO has no facilities and vice versa. At first, City Engineer Brown explained that he looked at this as the usual request to break ground that we receive from other utilities. However, in speaking to Attorney McPhedran he indicated that the City does not have a franchise agreement with MTCO, so we need to look into this request a bit further. Without a franchise agreement the City could end up in a situation where if the utility is in conflict with a further improvement or repair, it could be at the City's expense to correct the situation. Several years ago the City entered into an agreement with MTCO for Rockwell Road for them to extend a fiber optic line from Route 6 to the tower by Double M Trucking. Brian Brown stated that he feels it would be in our best interest to request a similar agreement in this situation to protect the City. Attorney McPhedran concurred and stated that because City Engineer Brown will not be at the next council meeting, they wanted the council to have time to consider this in case any questions arose. Attorney McPhedran stated that there may be a potential agreement or MTCO must show the City where in present telecommunication statutes it indicates that the City is protected. The City would like documentation that protects us if they have a utility in City ROW and it needs to be moved for development, it will not be at the City's expense.

Alderman Lavieri brought forth a request from Jeff Struna resident of 1860 Campbell for a sign that reads "Cross Traffic Does Not Stop" on the stop sign at Campbell Avenue and Garfield.

**Alderman Bacidore announced the Streets, Alleys and Traffic Committee will meet on September 9, 2019 at 6:15 p.m.**

#### **ORDINANCES/RESOLUTIONS**

Moved by Alderman Reynolds and seconded by Alderman Demes to approve and place on file **Ordinance 2835:** An Ordinance Authorizing Variance Concerning Premises as requested by Jayme L. Doll and Tia Marquez Regarding Premises at 1270 Tonti Street within the City of La Salle. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

**Ordinance 2835: Ordinance  
Authorizing Variance Concerning  
Premises as requested by Jayme  
L. Doll and Tia Marquez**

**Regarding Premises at 1270  
Tonti Street within the City of La  
Salle.**

Moved by Alderman Jeppson and seconded by Alderman Lavieri to approve and place on file  
**Ordinance 2836:** An Ordinance Authorizing Variance Concerning Premises as requested by  
Griselda Martinez Regarding Premises at 1721 Campbell Avenue within the City of La Salle.  
Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane  
NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

**Ordinance 2836: Ordinance  
Authorizing Variance Concerning  
Premises as requested by  
Griselda Martinez Regarding  
Premises at 1721 Campbell  
Avenue within the City of La  
Salle**

Moved by Alderman Lavieri and seconded by Alderman Jeppson to approve and place on file  
An Ordinance Further Regulating Parking within the City of La Salle on the North Side of  
Roosevelt Road between Bucklin and La Fayette Streets. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Ptak, Reynolds, Lavieri, Jeppson

NAY: Alderman Demes, Bacidore, Crane Absent: Alderman Herndon Abstain: None

**Motion Failed 4-3**

***Alderman Demes stated that he was voting Nay because this was an example of an  
instance where because one person complained, we changed the traffic pattern.***

***Because the ordinance was not passed by a majority of the aldermen, the Ordinance will  
be reconsidered at the September 9, 2019 City Council meeting.***

Moved by Alderman Demes and seconded by Alderman Reynolds to approve and place on file  
**Ordinance 2837:** An Ordinance Further Regulating Traffic within the City of La Salle and  
related matters. Each and every alderman has a copy. (Slow Children Playing Sign at 2937 E.  
Third Road)

**ROLL CALL:** AYE: Alderman Demes, Ptak, Reynolds, Lavieri, Jeppson, Crane

NAY: Alderman Bacidore Absent: Alderman Herndon Abstain: None

**Motion Carried 6-1**

**Ordinance 2837: An Ordinance  
Further Regulating Traffic within  
the City of La Salle and related  
matters. (Slow Children Playing**

Attorney McPhedran indicated for the record, that although the sign is being approved by  
ordinance, there is no penalty for violation. It is more a less a warning. Attorney McPhedran  
stated that he has asked the City Clerk to make the petitioner aware of this.

## **COMMENTS**

Finance Director Duncan responded to an earlier question regarding the tracking of sales tax for  
mobile food vendors. Mr. Duncan stated that the City does not have a good way of tracking  
who has paid what into the sales tax system for the City. He stated, based on an agreement  
with the state, he has the authority to verify if an organization has contributed sales tax, but is

not authorized to give out the amount of the contribution. Mr. Duncan would need to know the corporation name to check if a certain business has contributed sales tax. Brief discussion followed.

City Engineer Brown stated that the road project and storm separation project are moving along. Paving will occur near City Hall, Marquette Street and move west from Bucklin to Wright over the next few days.

**APPROVAL OF BILLS**

Moved by Alderman and seconded by Alderman that bills totaling \$1,090,538.05 (Total Payroll \$173,197.19, Bills to be Paid \$129,110.43, Total Bills Paid \$788,230.43) be accepted, paid and placed on file. Each and every alderman has a copy.

**ROLL CALL:** AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Jeppson, Crane  
NAY: None Absent: Alderman Herndon Abstain: None

**Motion Carried 7-0**

Moved by Alderman Reynolds and seconded by Alderman Crane to adjourn the meeting.  
Voice vote, all ayes. Motion is carried.

**ADJOURNED 7:37 p.m.**



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Carrie Brown, City Clerk